

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

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In Re: A. Scott Bolden : Case No. 1:23-mc-00040-LKG

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**MOTION OF A. SCOTT BOLDEN, RESPONDENT, FOR ADDITIONAL
TIME TO RESPOND TO ORDER TO SHOW CAUSE DATED JANUARY 17, 2023**

A. Scott Bolden, Respondent, by his undersigned attorneys, moves the Court for an extension of time to respond to the Order to Show Cause entered on January 17, 2023, and, in support thereof, states that:

1. On January 17, 2023, the Court filed a Memorandum Opinion (ECF 1) and entered a Show Cause Order (ECF 2) concerning certain conduct by Mr. Bolden while acting as lead attorney for Marilyn Mosby, the Defendant in *United States of America v. Marilyn J. Mosby*, Case No. 22-cr-00007-LKG.

2. As stated in its Memorandum Opinion, the Court undertook the “task of considering whether to hold Defense Counsel Bolden in contempt of court for violating its Local Rules.” (ECF 1, p. 4). After discussing the actions of Mr. Bolden and the provisions of Local Rules 201 and 204, the court “conclud[ed] that Defense Counsel Bolden has violated its Local Rules” *Id.*, p. 5. The Court further declared that it was “provid[ing] Defense Counsel Bolden with notice of the aforementioned violations of its Local Rules, and [that] the Court will afford Defense Counsel Bolden an opportunity to be heard before the Court imposes any criminal contempt sanctions in this matter.” *Id.*, p. 6. The Court also acknowledged that, “Because criminal contempt is a crime, penalties for criminal contempt may not be imposed on someone who has not been afforded the

protections that the Constitution requires for such criminal proceedings, including being informed of the right to counsel.” *Id.*

2. In the Show Cause Order (ECF 2) entered simultaneously with the Memorandum Opinion, the Court ordered that:

Defense Counsel Bolden will **SHOW CAUSE**, in writing, **on or before January 31, 2023**, as to why the Court should not:

- (1) Impose criminal contempt sanctions;
- (2) Make a criminal referral to the United States Attorney’s Office for this District pursuant to Fed.R.Crim. P. 42; and/or
- (3) Revoke Defense Counsel Bolden’s *pro hac vice* admission in *United States v. Marilyn J. Mosby*, 22-cr-0007.

(bold and italics in original).

3. Mr. Bolden has engaged Arnold M. Weiner, Esq., of Rifkin Weiner Livingston LLC, to defend him in his response to the January 17th Order to show cause. Simultaneously with this Motion, Mr. Weiner and others in his firm are entering their appearances on behalf of Mr. Bolden.

4. Mr. Weiner and his firm have not had any previous familiarity with this or the related criminal case. In their preliminary view, the matter implicates several important factual and legal issues that require investigation, research and analysis so that Mr. Bolden’s Response to the Show Cause Order may be presented to the Court in an effective and coherent manner. These potential issues concern, among other things, application of Constitutional principles, the interpretation of relevant statutes and rules of procedure and the substantial body of case law regarding the appropriateness of criminal contempt and the standards and procedural requirements applicable thereto.

5. Mr. Weiner requires an additional ten days, until February 10, 2023, to perform the necessary work for Mr. Bolden's Response.

WHEREFORE, Mr. Bolden respectfully requests that the Court enter an Order extending for ten days, to February 10, 2023, the time for Mr. Bolden to respond in writing to the January 17th Order to show cause.

Dated: January 24, 2023

Respectfully submitted,

/s/

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Attorneys for A. Scott Bolden, Respondent

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 24th day of January 2023, copies of the within Motion Of A. Scott Bolden, Respondent, For Additional Time To Respond To Order To Show Cause Dated January 17, 2023 were served on all parties of record via ECF.

/s/

Arnold M. Weiner, Bar No. 01605